Case 09-25754 Doc 1 Filed 07/16/09 Entered 07/16/09 17:29:40 Desc Main

Page 1 of 34 Official Form 1 (1/08) Document **United States Bankruptcy Court Voluntary Petition** NORTHERN DISTRICT OF ILLINOIS Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse)(Last, First, Middle): Burns, James M. All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): NONE Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 8593 (if more than one, state all): Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 8902 S. Corcoran Road Hometown TI ZIPCODE ZIPCODE 60456 County of Residence or of the County of Residence or of the Principal Place of Business: Principal Place of Business: Mailing Address of Joint Debtor Mailing Address of Debtor (if different from street address): (if different from street address) SAME ZIPCODE ZIPCODE Location of Principal Assets of Business Debtor
(if different from street address above): NOT APPLICABLE ZIPCODE (if different from street address above): **Nature of Business Chapter of Bankruptcy Code Under Which** Type of Debtor (Form of organization) (Check one box.) the Petition is Filed (Check one box) (Check one box.) Health Care Business Chapter 7 Chapter 15 Petition for Recognition Chapter 9 of a Foreign Main Proceeding Single Asset Real Estate as defined See Exhibit D on page 2 of this form. П Chapter 11 in 11 U.S.C. § 101 (51B) ☐ Chapter 15 Petition for Recognition Corporation (includes LLC and LLP) П Chapter 12 Railroad of a Foreign Nonmain Proceeding Partnership Chapter 13 Stockbroker Other (if debtor is not one of the above **Nature of Debts** (Check one box) Commodity Broker entities, check this box and state type of Debts are primarily consumer debts, defined Debts are primarily entity below Clearing Bank in 11 U.S.C. § 101(8) as "incurred by an business debts. Other individual primarily for a personal, family, or household purpose" Tax-Exempt Entity Chapter 11 Debtors: (Check box, if applicable.) Check one box: Debtor is a tax-exempt organization Debtor is a small business as defined in 11 U.S.C. § 101(51D). under Title 26 of the United States Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Code (the Internal Revenue Code) Filing Fee (Check one box) Check if: Debtor's aggregate noncontingent liquidated debts (excluding debts owed Full Filing Fee attached to insiders or affiliates) are less than \$2,190,000. Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Check all applicable boxes: A plan is being filed with this petition Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach Acceptances of the plan were solicited prepetition from one or more signed application for the court's consideration. See Offi cial Form 3B. classes of creditors, in accordance with 11 U.S.C. § 1126(b). THIS SPACE IS FOR COURT USE ONLY Statistical/Administrative Information Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors 25,001- \boxtimes 1,000 5,001-10,001-50,001-100,000 50-99 100-199 200-999 Over 1-49 50,000 5,000 10,000 25,000 100 000 Estimated Assets \$0 to \$50,001 to \$100,001 to \$500,001 \$1,000,001 \$10,000,001 More than \$50,000,001 \$100,000,001 \$500,000,001 \$500,000 \$1 billion \$50,000 \$100,000 to \$1 to \$10 to \$50 to \$100 to \$500 to \$1 billion million million million million Estimated Liabilities \$500,001 \$0 to \$50,001 to \$100,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 \$100,000 \$500,000 to \$1 to \$50 to \$100 to \$500 \$50,000 to \$10 to \$1 billion \$1 billion million million million million million

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DOCUM	CIIL 1 agc 2 01 3-	r r	JKWI DI, I age 2
Voluntary Petition	Name of Debtor(s):		
(This page must be completed and filed in every case)	James M. Burn	s	
All Prior Bankruptcy Cases Filed Within Last 8 Ye	ears (If more than two,	attach additional sheet)	
Location Where Filed:	Case Number:	Date Filed:	
NONE	C N 1	D (E1 1	
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of	this Debtor (If m	ore than one, attach additional sheet)	
Name of Debtor:	Case Number:	Date Filed:	
NONE District	Dalationahim	Indeed	
District:	Relationship:	Judge:	
Exhibit A		Exhibit B	
(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange		o be completed if debtor is an individual	
Commission pursuant to Section 13 or 15(d) of the Securities		nose debts are primarily consumer debts) er named in the foregoing petition, declare	e that I
Exchange Act of 1934 and is requesting relief under Chapter 11)	, ,	hat [he or she] may proceed under chapte	
	or 13 of title 11, United State	s Code, and have explained the relief avai	lable under
	each such chapter. I further c	ertify that I have delivered to the debtor th	ne notice
	required by 11 U.S.C. §342(0).	
☐ Exhibit A is attached and made a part of this petition	X /s/ MARK D. W	TISMAN	7/15/2009
	Signature of Attorney for Del		Date
	Exhibit C		
Does the debtor own or have possession of any property that poses or is alleg or safety? Yes, and exhibit C is attached and made a part of this petition. No	ged to pose a threat of imminent a	and identifiable harm to public health	
(To be completed by every individual debtor. If a joint petition is filed, each	Exhibit D spouse must complete and attacl	n a separate Exhibit D.)	
Exhibit D completed and signed by the debtor is attached and made p If this is a joint petition:	part of this petition.		
Exhibit D also completed and signed by the joint debtor is attached a	and made a part of this petition.		
	Regarding the Debtor - Venue	,	
l <u></u>	k any applicable box)		
Debtor has been domiciled or has had a residence, principal place of bus preceding the date of this petition or for a longer part of such 180 days the such that the such		District for 180 days immediately	
☐ There is a bankruptcy case concerning debtor's affiliate, general partner,	or partnership pending in this D	strict.	
Debtor is a debtor in a foreign proceeding and has its principal place of b	business or principal assets in the	United States in this District, or has no	
principal place of business or assets in the United States but is a defenda	nt in an action proceeding [in a f	ederal or state court] in this District, or	
the interests of the parties will be served in regard to the relief sought in	this District.		
Certification by a Debtor Who		ential Property	
	applicable boxes.)		
Landlord has a judgment against the debtor for possession of debtor	or's residence. (If box checked, co	mplete the following.)	
	(Name of landlord that	nt obtained judgment)	
	(Address of landlord)		
Debtor claims that under applicable nonbankruptcy law, there are entire monetary default that gave rise to the judgment for possession		•	
Debtor has included with this petition the deposit with the court of period after the filing of the petition.	any rent that would become due	during the 30-day	
Debtor certifies that he/she has served the Landlord with this certif	fication. (11 U.S.C. § 362(l)).		

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Voluntary Petition	Name of Debtor(s):				
(This page must be completed and filed in every case)	Towns W. Burner				
	James M. Burns				
	Signatures				
Signature(s) of Debtor(s) (Individual/Joint) I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.	Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.)				
[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b) I request relief in accordance with the chapter of title 11, United States	 ☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached. ☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order 				
Code, specified in this petition.	granting recognition of the foreign main proceeding is attached.				
X /s/ James M. Burns Signature of Debtor X Signature of Joint Debtor	(Signature of Foreign Representative)				
	(Printed name of Foreign Representative)				
Telephone Number (if not represented by attorney)	7/15/2009				
7/15/2009 Date	(Date)				
Signature of Attorney*	+				
X /s/ MARK D. WEISMAN Signature of Attorney for Debtor(s) MARK D. WEISMAN Printed Name of Attorney for Debtor(s) MARK D. WEISMAN #2971712 Firm Name 100 W. Monroe Address Suite 1310	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(b), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.				
Chicago IL 60603 (312) 857-1320	Printed Name and title, if any, of Bankruptcy Petition Preparer				
Telephone Number 7/15/2009 Date *In a case in which \\$ 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) Address				
an inquiry that the information in the selections is meditect.	/ Add 655				
Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests the relief in accordance with the chapter of title	X Date Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.				
11, United States Code, specified in this petition.	Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is				
X	not an individual.				
Signature of Authorized Individual					
Printed Name of Authorized Individual	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.				
Title of Authorized Individual	A bankruptcy petition preparer's failure to comply with the provisions of title 11				
7/15/2009	and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.				

Date

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS NORTHERN DIVISION

nre <i>James M.</i>	Burns		Case No.	
			Chapter	7
		Debtor(s)		

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

WARNING: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

Exhibit D. Greek one of the live statements below and attach any documents as directed.
1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
2. Within the 180 days before the filing of my bankruptcy case , I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not I have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

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[Must be accompanied by a motion for dete	ermination by the court.] led in 11 U.S.C. § 109 (h)(4) as impair lealizing and making rational decisions was a limited in 11 U.S.C. § 109 (h)(4) as physical	ed by reason of mental illness or mental deficiently with respect to financial responsibilities.); ally impaired to the extent of being unable, after person, by telephone, or through the Internet.);	
5. The United States truster of 11 U.S.C. § 109(h) does not apply in this	. ,	ermined that the credit counseling requirement	t
I certify under penalty of perjury	that the information provided abo	ve is true and correct.	
Signature of Debtor: /s/ James	M. Burns		
Date: 7/15/2009			

<u>Certifi</u>	CATE OF COU	<u>NSELING</u>
CERTIFY that on	, at	o'clock,
	re	eceived from
un agency approved pursuant to 11 U		credit counseling in the
	, an indivi	dual [or group] briefing that complie
with the provisions of 11 U.S.C. §§ 1	109(h) and 111.	
A debt repayment plan	If a debt repa	yment plan was prepared, a copy of
he debt repayment plan is attached t		
This counseling session was conduct		
Date:	Ву	
	Name	
	Title	

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In re James M. Burns	Case No.
Debtor(s)	(if known)

SCHEDULE A-REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G-Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	HusbandH WifeW JointJ CommunityC	Secured Claim or	Amount of Secured Claim
1106 NE 86th Street, Miami 33138	Fee Simple		\$ 450,000.00	\$ 450,000.00

TOTAL \$ (Report also on Summary of Schedules.)

450,000.00

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In re James M. Burns	Case No.			
Debtor(s)	(if knowr			

SCHEDULE B-PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G-Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N o	Description and Location of Property	Husband- Wife-		Current Value of Debtor's Interest, in Property Without Deducting any
	n e		Joint- Community-	J	Secured Claim or Exemption
1. Cash on hand.		Cash on hand Location: In debtor's possession			\$ 50.00
Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Checking account Fifth Third Bank			\$ 202.01
·		Fifth Third Bank (Business account for War Paint Inc.)			\$ 2,985.61
Security deposits with public utilities, telephone companies, landlords, and others.	X				
Household goods and furnishings, including audio, video, and computer equipment.		Misc. tables, chairs and furnishings 20-30 years of age. Five year old computer and glass collection. Location: In debtor's possession			\$ 1,200.00
Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X				
6. Wearing apparel.		Ordinary wearing apparel Location: In debtor's possession			\$ 750.00
7. Furs and jewelry.	X				
Firearms and sports, photographic, and other hobby equipment.	X				
Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X				

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In re James M. Burns	Case No.
Debtor(s)	, (if known

SCHEDULE B-PERSONAL PROPERTY

(Continuation Sheet)

		(Odritination Officet)			
Type of Property	N	Description and Location of Property			Current Value of Debtor's Interest,
	o n		Husband- Wife- Joint	W	in Property Without Deducting any Secured Claim or
	е		Community-		Exemption
10. Annuities. Itemize and name each issuer.	X				
11. Interest in an education IRA as defined in 26 U.S.C. 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. 521(c).)	X				
Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X				
Stock and interests in incorporated and unincorporated businesses. Itemize.		Interest in War Paint Inc. (company has not assets used only to insulate debtor from personal liability) Location: In debtor's possession			\$ 0.00
Interests in partnerships or joint ventures. Itemize.	X				
Sovernment and corporate bonds and other negotiable and non-negotiable instruments.	X				
16. Accounts Receivable.	X				
Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X				
Other liquidated debts owed to debtor including tax refunds. Give particulars.	X				
Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X				
Contingent and non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X				
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X				
22. Patents, copyrights, and other intellectual property. Give particulars.	X				
23. Licenses, franchises, and other general intangibles. Give particulars.	X				
24. Customer lists or other compilations containing personally identifiable information (as described in 11 U.S.C. 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X				

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In re James M. Burns	Case No.
Debtor(s)	(if knowr

SCHEDULE B-PERSONAL PROPERTY

(Continuation Sheet)

		(Continuation Sheet)				
Type of Property	N	Description and Location of Property			Current Value of Debtor's Interest,	
	o n e		Husband Wife Joint Community	W :J	in Property Without Deducting any Secured Claim or Exemption	
25. Automobiles, trucks, trailers and other vehicles and accessories.		2003 Mini Cooper Location: In debtor's possession			\$ 11,000.00	
26. Boats, motors, and accessories.	X					
27. Aircraft and accessories.	X					
28. Office equipment, furnishings, and supplies.	X					
29. Machinery, fixtures, equipment and supplies used in business.	X					
30. Inventory.	X					
31. Animals.	X					
32. Crops - growing or harvested. Give particulars.	X					
33. Farming equipment and implements.	X					
34. Farm supplies, chemicals, and feed.	<i>X</i>					
35. Other personal property of any kind not already listed. Itemize.	X					
L						

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In re	
James M. Burns	Case No.
Debtor(s)	, (if known

SCHEDULE C-PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:

(Check one box)

☑ 11 U.S.C. § 522(b) (2)

☐ 11 U.S.C. § 522(b) (3)

Description of Property	Specify Law Providing each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemptions
Cash on hand	11 USC 522(d)(5)	\$ 50.00	\$ 50.00
Checking account	11 USC 522(d)(5)	\$ 202.01	\$ 202.01
Fifth Third Bank	11 USC 522(d)(5) 11 U.S.C. § 522(d)(5)	\$ 2,097.99 \$ 887.62	\$ 2,985.61
Household goods and furnishings	11 USC 522(d)(3)	\$ 1,200.00	\$ 1,200.00
Ordinary wearing apparel	11 USC 522(d)(3)	\$ 750.00	\$ 750.00
Interest in War Paint Inc.	11 U.S.C. § 522(d)(5)	\$ 0.00	\$ 0.00
2003 Mini Cooper	11 USC 522(d)(2) 11 USC 522(d)(5)	\$ 3,225.00 \$ 7,775.00	\$ 11,000.00

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B6D (Official Form 6D) (12/07)

In reJames M. Burns	Case No.
Debtor(s)	(if known)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H – Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Creditor's Name and Mailing Address Including ZIP Code and Account Number (See Instructions Above.)	Co-Debtor	of Lien, and D	as Incurred, Nature Description and Market erty Subject to Lien	Continuent	Contingent	Unliquidated	Amount of Claim Without Deducting Value of Collateral	Unsecured Portion, If Any
Account No: 0440 Creditor # : 1 Miami Dade Cty Tax Collector 140 W. Fagler Miami FL 33130-1575		2009 Real Est	ate Taxes				\$ 7,270.23	\$ 7,270.23
Account No: 2684 Creditor # : 2 Washington Mutual Bank P.O. Box 100569 Florence SC 29502-0569							\$ 39,900.00	\$ 39,900.00
Account No: 5342 Creditor # : 3 Washington Mutual Bank P.O. Box 100576 Florence SC 29502-0576		2006 First Mc					\$ 512,000.00	\$ 62,000.00
1 continuation sheets attached				Sub (Total of (Use only on I	this	page		

(Report also on Summary of Schedules.)

Statistical Summary of Certain Liabilities and Related Data) Case 09-25754 Doc 1 Filed 07/16/09 Entered 07/16/09 17:29:40 Desc Main Document Page 13 of 34

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In reJames M. Burns	, Case No.
Debtor(s)	(if known)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

(Continuation Sheet) **Amount of Claim** Unsecured Date Claim was Incurred, Nature Creditor's Name and **Mailing Address** Without of Lien, and Description and Market Portion, If Any Unliquidated Including ZIP Code and Contingent Value of Property Subject to Lien **Deducting Value** Disputed **Account Number** of Collateral H--Husband (See Instructions Above.) W--Wife J--Joint C--Community Account No: 5342 Shapiro & Fishman Representing: 2424 N. Federal Highway Washington Mutual Bank Suite 360 Boca Raton FL 33431 Value: Account No: Value: 1 Sheet no. 1 continuation sheets attached to Schedule of Creditors Subtotal \$ \$ 0.00 \$ 0.00 (Total of this page) Holding Secured Claims

\$ 559,170.23

Total \$

(Use only on last page)

\$ 109,170.23

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In re_James M. Burns Case No.

Debtor(s)

(if known)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them or the is

conti	tal community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim ingent, place an "X" in the column labeled "Unliquidated." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is uted, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)							
box l	Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the abeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.							
•	Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to ity listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debtrict this total also on the Statistical Summary of Certain Liabilities and Related Data.							
	Report the total of amounts NOT entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not led to priority listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Individual debtors with primarily consumes report this total also on the Statistical Summary of Certain Liabilities and Related Data.							
\boxtimes	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.							
TYF	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)							
	Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 1 U.S.C. § 507(a)(1).							
	Extensions of credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).							
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).							
	Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).							
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).							
	Taxes and Certain Other Debts Owed to Governmental Units Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).							
	Commitments to Maintain the Capital of an Insured Depository Institution Claims based on commitments to FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).							
	Claims for Death or Personal Injury While Debtor Was Intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a							

drug, or another substance. 11 U.S.C. § 507(a)(10).

^{*}Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

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n re James M. Burns	, Case No.
Dalata w/a)	

Debtor(s)

(if known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedules. Report this total also on the Summary of Schedules, and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Creditor's Name, Mailing Address including Zip Code, And Account Number (See instructions above.)	Co-Debtor	J,	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State. Husband -Wife Joint Community		Contingent	Unliquidated	Disputed	Amount of Claim
Account No: 8830 Creditor # : 1 Bank of America P.O. 15026 Wilmington DE 19850-5026			2008 Credit Card Purchases					\$ 1,800.00
Account No: 0927 Creditor # : 2 Discover Card P.O. Box 30421 Salt Lake City UT 84130-0421			2007-01/2009 Credit Card Purchases					\$ 12,913.74
Account No: 0927 Representing: Discover Card			Capital Management Services 726 Exchange Suite 700 Buffalo NY 14210					
Account No: 4624 Creditor # : 3 Disney Rewards P.O. Box 15299 Wilmington DE 19850-5299			2007-01/2009 Credit Card Purchases					\$ 14,372.31
1 continuation sheets attached	ļ	<u> </u>	1	Su	bto		\$ I \$	\$ 29,086.05

(Use only on last page of the completed Schedule F. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data)

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In re James M. Burns	,	Case No.	

Debtor(s)

(if known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name, Mailing Address including Zip Code, And Account Number (See instructions above.)	Co-Debtor	J	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State. Husband Wife Joint Community	Contingent	Unliquidated	Disputed	Amount of Claim
Account No: 8488 Creditor # : 4 Sears Gold Mastercard P.O. Box 6282 Sioux Falls SD 57117-6282			2008-01/2009 Credit Card Purchases				\$ 3,706.67
Account No:							
Account No:							
Account No:							
Account No:							
Account No:							
Sheet No. 1 of 1 continuation sheets att Creditors Holding Unsecured Nonpriority Claims	ached :	to S	Chedule of (Use only on last page of the completed Schedule F. Report also on Summ and, if applicable, on the Statistical Summary of Certain Liabilities a	ary of S	Tota ched	al \$ ules	\$ 3,706.67 \$ 32,792.72

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In re James M. Burns	/ Debtor	Case No.	
		-	(if known)

SCHEDULE G-EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State the nature of debtor's interests in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

□ Check this box if the debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract.	Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Nonresidential Real Property. State Contract Number of any Government Contract.

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In re James M. Burns	/ Debtor	Case No.	
		-	(if known)

SCHEDULE H-CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtors spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

□ Check this box if the debtor has no codebtors.

Name and Address of Codebtor	Name and Address of Creditor					

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In re James M. Burns	,	Case No.	
Debtor(s)		_	(if known)

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

form may differ from the cu	urrent monthly income calculated on Form 22A, 22B, or 22C.	,	J	,					
Debtor's Marital	DEPENDENTS OF DEBTOR AND SPOUSE								
Status: Single	RELATIONSHIP(S):		AGE(S):						
EMPLOYMENT:	DEBTOR		SPO	USE					
Occupation	Artist								
Name of Employer	Self-Employed								
How Long Employed									
Address of Employer									
INCOME: (Estimate of aver-	age or projected monthly income at time case filed)		DEBTOR		SPOUSE				
Monthly gross wages, sa Estimate monthly overtim	lary, and commissions (Prorate if not paid monthly)	\$ \$	0.00 0.00	\$	0.00 0.00				
3. SUBTOTAL 4. LESS PAYROLL DEDUC a. Payroll taxes and soc b. Insurance c. Union dues d. Other (Specify):		\$ \$\$\$\$	0.00 0.00 0.00 0.00 0.00	\$\$\$	0.00 0.00 0.00 0.00				
5. SUBTOTAL OF PAYRO	L DEDUCTIONS	\$	0.00	\$	0.00				
6. TOTAL NET MONTHLY	TAKE HOME PAY	\$	0.00	\$	0.00				
8. Income from real propert9. Interest and dividends	or support payments payable to the debtor for the debtor's use or that	\$\$\$\$ \$\$	1,000.00 0.00 0.00 0.00	\$\$\$\$	0.00 0.00 0.00 0.00				
13. Other monthly income (Specify):		\$	0.00	\$	0.00				
14. SUBTOTAL OF LINES	7 THROUGH 13	\$	1,000.00	\$	0.00				
15. AVERAGE MONTHLY I	NCOME (Add amounts shown on lines 6 and 14)	\$	1,000.00	\$	0.00				
16. COMBINED AVERAGE	MONTHLY INCOME: (Combine column totals nly one debtor repeat total reported on line 15)	\$ 1,000.00 (Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)							
17. Describe any increas	e or decrease in income reasonably anticipated to occur within the year	r following the fil	ing of this document:						

In re James M. Burns	, Case No
Debtor(s)	(if known)

SCHEDULE J-CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22 A or 22C.

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home)	\$	0.00
a. Are real estate taxes included? Yes No		
b. Is property insurance included? Yes No 2. Utilities: a. Electricity and heating fuel	\$	0.00
Utilities: a. Electricity and heating fuel b. Water and sewer	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	0.00
c. Telephone	\$	0.00
d. Other cell phone	\$	85.00
Other		0.00
3. Home maintenance (repairs and upkeep)	. \$	0.00
4. Food	\$	230.00
5. Clothing	<u> \$</u>	60.00 30.00
6. Laundry and dry cleaning	\$	30.00
Medical and dental expenses Transportation (not including car payments)	\$	220.00
Pransportation (not including car payments) Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	55.00
10. Charitable contributions	\$	0.00
11. Insurance (not deducted from wages or included in home mortgage payments)	ľ	
a. Homeowner's or renter's	\$	0.00
b. Life	\$	0.00
c. Health	\$	159.00
d. Auto	\$	72.50
e. Other	\$	0.00
Other	\$	0.00
12. Taxes (not deducted from wages or included in home mortgage)		
(Specify)	\$	0.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)	•	0.00
a. Auto b. Other:	. <u>\$</u> \$	0.00
c. Other:	\$	0.00
14. Alimony, maintenance, and support paid to others	.\$	0.00
15. Payments for support of additional dependents not living at your home	\$	0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
17. Other: Automobile maintenance & fees	\$	60.00
Other:		0.00
		0.00
18. AVERAGE MONTHLY EXPENSES Total lines 1-17. Report also on Summary of Schedules	\$	1,001.50
and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)		
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:		
20. STATEMENT OF MONTHLY NET INCOME		
a. Average monthly income from Line 16 of Schedule I	\$	1,000.00
b. Average monthly expenses from Line 18 above	\$	1,001.50
c. Monthly net income (a. minus b.)	\$	(1.50)
	+	

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS NORTHERN DIVISION

In re James M. Burns	Case No.	
	Chapter 7	
	/ Debtor	

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data"if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	Attached (Yes/No)	No. of Sheets	ASSETS	LIABILITIES	OTHER
A-Real Property	Yes	1	\$ 450,000.00		
B-Personal Property	Yes	3	\$ 16,187.62		
C-Property Claimed as Exempt	Yes	1			
D-Creditors Holding Secured Claims	Yes	2		\$ 559,170.23	
E-Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		\$ 0.00	
F-Creditors Holding Unsecured Nonpriority Claims	Yes	2		\$ 32,792.72	
G-Executory Contracts and Unexpired Leases	Yes	1			
H-Codebtors	Yes	1			
I-Current Income of Individual Debtor(s)	Yes	1			\$ 1,000.00
J-Current Expenditures of Individual Debtor(s)	Yes	1			\$ 1,001.50
тот	AL	14	\$ 466,187.62	\$ 591,962.95	

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UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS **NORTHERN DIVISION**

In re <i>James M.</i>	Burns	Case N	Э.
		Chapter	7
		/ Debtor	

STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8), filing a case under chapter 7, 11, or 13, you must report all information requested below.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$ 0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$ 0.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$ 0.00
Student Loan Obligations (from Schedule F)	\$ 0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	\$ 0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$ 0.00
TOTAL	\$ 0.00

State the following:

Average Income (from Schedule I, Line 16)	\$ 1,000.00
Average Expenses (from Schedule J, Line 18)	\$ 1,001.50
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	\$ 1,125.00

State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 109,170.23
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$ 0.00
4. Total from Schedule F		\$ 32,792.72
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$ 141,962.95

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In re J	nge James M. Burns			Case No.	
		Deb	or		(if known

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY AN INDIVIDUAL DEBTOR

I declare under penalty of perjury th correct to the best of my knowledge	at I have read the foregoing summary and schedules, consisting of s, information and belief.	sheets, and that they are true and
Date: 7/15/2009	Signature /s/ James M. Burns James M. Burns	
	[If joint case, both spouses must sign.]	

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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Document Page 24 of 34 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS NORTHERN DIVISION

In re: James M. Burns Case No.

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not diclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

Questions 1-18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19-25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor my also be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporation debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. §101.

1. Income from employment or operation of business

None S

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

Year to date:\$7950 Last Year:\$7000.00 Year before:\$12,053.00

2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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3. Payments to creditors

None

Complete a. or b., as appropriate, and c.

a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor, made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filingunder chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

4. Suits and administrative proceedings, executions, garnishments and attachments

None

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case.

(Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER

NATURE OF PROCEEDING

COURT OR AGENCY
AND LOCATION

STATUS OR DISPOSITION

WAMU v. Burns

Mortgage foreclosure

Circuit Court of Dade County,

Pending

None

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Florida

5. Repossessions, foreclosures and returns

None

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATE OF REPOSSESSION FORECLOSURE SALE,

NAME AND ADDRESS OF CREDITOR OR SELLER

TRANSFER OR RETURN

DESCRIPTION AND VALUE OF PROPERTY

Pending foreclosure action see question 4

Description: Value:

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6. Assignments and receiverships

None \boxtimes

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None X

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

7. Gifts

None \boxtimes

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

8. Losses

None

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF **PROPERTY**

DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, **GIVE PARTICULARS**

DATE OF LOSS

Description: Plumbing

repairs to Florida

property

Value: \$850.00

2008

9. Payments related to debt counseling or bankruptcy

None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE

DATE OF PAYMENT, NAME OF PAYER IF OTHER THAN DEBTOR DESCRIPTION AND VALUE OF PROPERTY

AMOUNT OF MONEY OR

Payee: MARK D. WEISMAN

Address:

100 W. Monroe Suite 1310

Chicago, IL 60603

Date of Payment: June 2009

\$1,000.00

Payor: James M. Burns

10. Other transfers

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as None security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF

TRANSFEREE, RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

Transferee: Prudential Life

Property: Whole life insurance policy. Cashed in 2008 for \$2400.00 Funds used to pay

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NAME AND ADDRESS OF

TRANSFEREE, RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

bills.

None X

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a benificiary.

11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

Institution: Bank of America

Address:

Account Type and No .: Checking account Final Balance: \$25.98

04/2009

Institution: Bank of America

Address:

Account Type and No.: Checking Account (War Paint Inc.) Final Balance: \$2000.00 (used for moving expenses)

04/2009

12. Safe deposit boxes

None \boxtimes

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

13. Setoffs

None \boxtimes

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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None	14. Property held for another person List all property owned by another person that the debtor holds or controls.		
None	15. Prior address of debtor If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.	debtor occupied during that period and	
DDRE	SS NAME USED	DATES OF OCCUPANCY	
	ss: 1106 NE 86th Street, , Florida 33138	2003-02/09	
None	16. Spouses and Former Spouses If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, Cal Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the spouse and of any former spouse who resides or resided with the debtor in the community property state.		
None	17. Environmental Information For the purpose of this question, the following definitions apply: "Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material. "Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to disposal sites. "Hazardous Material" means anything defined as hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar termunder an Environmental Law: a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:		
None	b. List the name and address of every site for which the debtor provided notice to a governmental unit of a releas governmental unit to which the notice was sent and the date of the notice.	e of Hazardous Material. Indicate the	
None	c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law, with respect Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.	to which the debtor is or was a party.	

a. If the debtor is an individual, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was

self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which

18. Nature, location and name of business

None

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the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

LAST FOUR DIGITS OF **BEGINNING AND** NAME SOCIAL-SECURITY OR **ADDRESS** NATURE OF BUSINESS **ENDING DATES** OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN War Paint Inc. ID:36-4398692 conduit for 1099 income (debtor is 100% owner) b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101. None \boxtimes [If completed by an individual or individual and spouse] I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct. 7/15/2009 /s/ James M. Burns Signature of Debtor Signature Date

of Joint Debtor (if any) Rule 2016(b) (8) (ase 09-25754 Doc 1 Filed 07/16/09 Entered 07/16/09 17:29:40 Desc Main Document Page 30 of 34

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS NORTHERN DIVISION

In re	James M. Bur	rns				Case No. Chapter	
					/ Debtor		
	Attorney for Debtor:	MARK D. 1	WEISMAN				

STATEMENT PURSUANT TO RULE 2016(B)

The undersigned, pursuant to Rule 2016(b), Bankruptcy Rules, states that:

- 1. The undersigned is the attorney for the debtor(s) in this case.
- 2. The compensation paid or agreed to be paid by the debtor(s), to the undersigned is:
- 3. \$ 299.00 of the filing fee in this case has been paid.
- 4. The Services rendered or to be rendered include the following:
 - a) Analysis of the financial situation, and rendering advice and assistance to the debtor(s) in determining whether to file a petition under title 11 of the United States Code.
 - b) Preparation and filing of the petition, schedules, statement of financial affairs and other documents required by the court.
 - c) Representation of the debtor(s) at the meeting of creditors.
- 5. The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and

None other

6. The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed, and

None other

7. The undersigned has received no transfer, assignment or pledge of property from debtor(s) except the following for the value stated:

None

8. The undersigned has not shared or agreed to share with any other entity, other than with members of undersigned's law firm, any compensation paid or to be paid except as follows:

None

Dated: 7/15/2009 Respectfully submitted,

X/s/ MARK D. WEISMAN

Attorney for Petitioner: MARK D. WEISMAN

MARK D. WEISMAN #2971712 100 W. Monroe Suite 1310 Chicago IL 60603 (312) 857-1320 B 8 (Official Form 8) (Case 09-25754 Doc 1 Filed 07/16/09 Entered 07/16/09 17:29:40 Desc Main Document Page 31 of 34

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS NORTHERN DIVISION

nre <i>James N</i>	M. Burns		Case No. Chapter 7
		/ Debtor	

CHAPTER 7 STATEMENT OF INTENTION

Part A - Debts Secured by property of the estate. (Part A must be completed for EACH debt which is secured by property of the estate. Attach

additional pages if necessary.)			
Property No. 1			
Creditor's Name :	Describe Property Securing Debt :		
Washington Mutual Bank	1106 NE 86th Street		
Property will be (check one) :			
Surrendered Retained			
If retaining the property, I intend to (check at least one):			
Redeem the property			
Reaffirm the debt			
Other. Explain (for example, avoid lien using 11 U.S.C § 522 (f)).			
Property is (check one) :			
☐ Claimed as exempt ☐ Not claimed as exempt			
Property No. 2			
Creditor's Name :	Describe Property Securing Debt :		
Washington Mutual Bank	1106 NE 86th Street		
Property will be (check one) :			
⊠ Surrendered □ Retained			
If retaining the property, I intend to (check at least one):			
Redeem the property			
Reaffirm the debt			
Other. Explain	(for example, avoid lien using 11 U.S.C § 522 (f)).		
Property is (check one):			
☐ Claimed as exempt ☐ Not claimed as exempt			

B 8 (Official Form 8) (Case 09-25754 Doc 1 Filed 07/16/09 Entered 07/16/09 17:29:40 Desc Main Document Page 32 of 34 Property No. 3 **Describe Property Securing Debt:** Creditor's Name: Miami Dade Cty Tax Collector 1106 NE 86th Street Property will be (check one): Surrendered Retained If retaining the property, I intend to (check at least one): Redeem the property Reaffirm the debt Other. Explain (for example, avoid lien using 11 U.S.C § 522 (f)). Property is (check one): Claimed as exempt Not claimed as exempt Part B - Personal property subject to unexpired leases. (All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.) Property No. Lessor's Name: **Describe Leased Property:** Lease will be assumed pursuant to 11 U.S.C. § None 365(p)(2): Yes No Signature of Debtor(s) I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease. Date: 7/15/2009 Debtor: /s/ James M. Burns Date: Joint Debtor: _____

Case 09-25754 UNITED FSTANT PAGE 33 of 34 NORTHERN DISTRICT OF ILLINOIS NORTHERN DIVISION

In re James M. Burns

Case No.

	Chapter 7
	/ Debtor
Attorney for Debtor: MARK D. WEISMAN	
<u>VERIF</u>	ICATION OF CREDITOR MATRIX
The above named Debtor(s)	hereby verify that the attached list of creditors is true and correct to the
best of our knowledge.	
e:	/s/ James M. Burns
<u> </u>	Debtor

James M. Bu Case 09-25754 Doc 1 Filed 07/16/09 Entered 07/16/09 17:29:40 Desc Main 8902 S. Corcoran Road Document Page 34 of 34

Hometown, IL 60456

MARK D. WEISMAN 100 W. Monroe Suite 1310 Chicago, IL 60603

Bank of America P.O. 15026 Wilmington, DE 19850-5026

Capital Management Services 726 Exchange Suite 700 Buffalo, NY 14210

Discover Card P.O. Box 30421 Salt Lake City, UT 84130-0421

Disney Rewards P.O. Box 15299 Wilmington, DE 19850-5299

Miami Dade Cty Tax Collector 140 W. Fagler Miami, FL 33130-1575

Sears Gold Mastercard P.O. Box 6282 Sioux Falls, SD 57117-6282

Shapiro & Fishman 2424 N. Federal Highway Suite 360 Boca Raton, FL 33431

Washington Mutual Bank P.O. Box 100569 Florence, SC 29502-0569

Washington Mutual Bank P.O. Box 100576 Florence, SC 29502-0576